

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET												
CR No: 19-3595 KWR				USA vs.: BENALLY								
Date: 7/1/20				Name of Deft: ANGELITA BENALLY								
Before the Honorable: Kea W. Riggs												
Time In/Out:		2:21pm-3:24pm			Total Time in Court (for JS10):			1 hr 3 minutes				
Clerk:		C. Bevel			Court Reporter:			J. Goehl				
AUSA:		Frederick Mendenhall			Defendant's Counsel:			Emily Carey				
Sentencing in:		Albuquerque			Interpreter:			N/A				
Probation Officer:		George Rodriguez			Interpreter Sworn?			<input type="checkbox"/> Yes		<input type="checkbox"/> No		
Convicted on:		<input checked="" type="checkbox"/> Plea			Verdict		As to:		<input type="checkbox"/> Information		<input checked="" type="checkbox"/> Indictment	
If Plea:		<input checked="" type="checkbox"/> Accepted			Not Accepted		Adjudged/Found Guilty on Counts: Count 1					
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted			Not Accepted		<input type="checkbox"/> No Plea Agreement		Comments:			
Date of Plea/Verdict:		2/21/20		PSR:		<input checked="" type="checkbox"/> Not Disputed	<input type="checkbox"/> Disputed		<input checked="" type="checkbox"/> Courts adopts PSR Findings			
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed			Needed		Exceptions to PSR: Defendant's Objection overruled					
SENTENCE IMPOSED				Imprisonment (BOP):		30 months						
Supervised Release:		3 years					Probation:					
REC	<input checked="" type="checkbox"/>	500-Hour Drug Program			BOP Sex Offender Program			Other:				
ICE	<input type="checkbox"/>	Court recommends ICE begin removal proceedings immediately or during service of sentence							<input type="checkbox"/> ICE not applicable			
SPECIAL CONDITIONS OF SUPERVISION												
No re-entry without legal authorization					Home confinement for _____ months _____ days							
Comply with ICE laws and regulation					<input checked="" type="checkbox"/>		Community service for 100 hours during supervised release.					
<input checked="" type="checkbox"/>	Participate in/successfully complete subst abuse program/testing					Reside halfway house 6 months _____ days						
<input checked="" type="checkbox"/>	Participate in/successfully complete mental health program					Register as sex offender						
<input checked="" type="checkbox"/>	Refrain from use/possession of alcohol/intoxicants					Participate in sex offender treatment program						
<input checked="" type="checkbox"/>	Submit to search of person/property					Possess no sexual material						
No contact with victim(s) and/or co-defendant(s)					No computer with access to online services							
No entering or loitering near victim's residence					No contact with children under 18 years							
Provide financial information					No volunteering where children supervised							
<input checked="" type="checkbox"/>	Waive right of confidentiality and allow the treatment provider to release treatment records					Restricted from occupation with access to children						
<input checked="" type="checkbox"/>	Must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances (e.g., synthetic marijuana, bath salts, etc.) that impair your physical or mental functioning, whether or not intended for human consumption.					No loitering within 100 feet of school yards						
Must not possess, sell, offer for sale, transport, cause to be transported, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d).					If defendant is unemployed - Must participate in an educational or vocational services program and follow the rules and regulations of that program							
<input checked="" type="checkbox"/>	OTHER: You must take all mental health medications that are prescribed by your treating physician. You may be required to pay all, or a portion, of the costs of the program											
Fine: \$		0			Restitution: \$			515.20 Further restitution to be left open and ruled upon by the Court within 60 days				
SPA: \$		100.00 (100 per count)			Payment Schedule:		<input checked="" type="checkbox"/> Due Immediately		<input type="checkbox"/> Waived			
OTHER:												
Advised of Right to Appeal		<input checked="" type="checkbox"/>		Waived Appeal Rights per Plea Agreement								
<input checked="" type="checkbox"/>	Deft on Conditions of Release			<input checked="" type="checkbox"/>		Voluntary Surrender- 60 days from date of entry of Judgment						

X	Recommended place(s) of incarceration: BOP Facility with RDAP program Safford AZ
	Dismissed Counts:
<p>OTHER COMMENTS: Ms. Carey objects to restitution for R.G. in Paragraphs 21 and 83 of the PSR. Court will hear argument as to restitution and go from there. Mr. Mendenhall addresses restitution regarding second victim. No objection from counsel regarding going forward with sentencing and holding restitution as to victim two will remain open. Defendant addresses Court. Ms. Ruby Greysinger, victim's mother addresses Court. By agreement of counsel and the Court, restitution decision will be incorporated into the Judgment, no further hearing will be necessary.</p>	